

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARCIA K. HAJEK, Individually)
and as Personal Representative of the)
Estate of Alan E. Hajek, Deceased,)

Plaintiff,)

v.)

KUMHO TIRE CO., Inc., a foreign)
corporation, KUMHO TIRE U.S.A.,)
Inc., a California corporation, and)
FORD MOTOR COMPANY, a)
Delaware corporation,)

Defendants.)

4:08CV3157

MEMORANDUM AND ORDER

A planning conference is scheduled to be held before Magistrate Judge Piester on July 23, 2009. After that date for the planning conference was set, the court ruled on the plaintiffs' motion to dismiss Ford Motor Company as a defendant. Filing No. [81](#). The ruling denied plaintiffs' motion and granted the Kumho defendants until July 23, 2009 to file any cross-claim, if any, against Ford Motor Company.

Therefore, the pleading stage of this lawsuit may not be complete as of the date of the scheduled planning conference. However, this case has been pending for nearly a year, no parties have been added since the original filing, discovery has ensued, and a final progression order is warranted. Accordingly,

- 1) The planning conference scheduled before Magistrate Judge Piester on July 23, 2009 is cancelled.

- 2) On or before August 28, 2009, the parties shall jointly file a motion setting forth their proposed deadlines for continued progression of this case to trial, including deadlines for disclosing experts and their reports and for completion of discovery, and a statement of when this case will be ready for trial.

DATED this 2nd day of July, 2009.

BY THE COURT:

s/Richard G. Kopf
United States District Judge